

Notice of Allowability

Application No.

10/615,581

Examiner

Anjan K. Deb

Applicant(s)

BASIR ET AL.

Art Unit

2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 10/13/2005.
2. ☒ The allowed claim(s) is/are 1,3,4,6-11 and 13-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This office action is in response to amendment filed 10/13/2005.

Allowable Subject Matter

2. Claims 1,3,4,6-11,13-28 are allowed.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

The primary reason for allowance of the claims 1, 3, 4, 6-11, 13-15 is the inclusion of at least one occupant presence detection (OPD) sensor for determining whether the load is an animate occupant based upon a capacitance of the load, wherein the system determines a child seat is present on the vehicle seat based upon the at least one load sensor determining the weight of the load on the vehicle seat exceeds an empty seat threshold and based upon the OPD sensor indicating that no animate occupant is present.

The primary reason for allowance of the claims 16-28 is the inclusion of method for classifying an occupant of a vehicle seat including the step of determining a position of a head of an occupant of vehicle seat in combination with remaining claims limitations.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

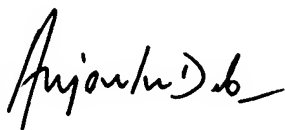
Breed (US 20050269810) discloses system for vehicle air bag deployment comprising determining the position occupant head and a vehicle occupant classification system.

Mahbub (US 20020050924 A1) discloses vehicle occupant sensor 10 comprising determining position of head of driver, which can be used to track the driver's movement over time in order to tailor the deployment of the airbag.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Anjan K. Deb whose telephone number is 571-272-2228. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diane Lee can be reached at 571-272-2399.

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A handwritten signature in black ink, appearing to read "Anjan K. Deb". The signature is fluid and cursive, with a long horizontal stroke at the end.

Anjan K. Deb

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Primary Patent Examiner

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12/12/05